



INDIANA UTILITY REGULATORY COMMISSION
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Memorandum

To: Indiana Legislative Council
Indiana Economic Development Corporation
Executive Director, Legislative Services Agency
Indiana General Assembly Members

From: David Lott Hardy, Chairman, Indiana Utility Regulatory
Commission

Date: October 30, 2007

Re: IURC Small Business Annual Report

Attached is the small business annual report from the Indiana Utility Regulatory Commission pursuant to Ind. Code § 4-22-2-28.1(k) due November 1, 2007.

Indiana Utility Regulatory Commission (IURC) Small Business Annual Report

This report is prepared pursuant to Ind. Code § 4-22-2-28.1.

Pursuant to Ind. Code § 4-22-2-28.1, each proposed rule is assigned a "small business coordinator." In this section, the "director" refers to the agency head, in the case of the IURC, the Chairman.

Ind. Code § 4-22-2-28.1(j) and (k) state:

(j) The coordinator assigned to a rule under subsection (e) shall keep a record of all comments, questions, and complaints received from small businesses with respect to the rule. The coordinator shall deliver the record, along with any accompanying documents submitted by small businesses, to the director:

(1) not later than ten (10) days after the date on which the rule is submitted to the publisher under section 35 of this chapter; and

(2) before July 15 of each year during which the rule remains in effect.

The coordinator and the director shall keep confidential any information concerning a small business to the extent that the information is exempt from public disclosure under IC 5-14-3-4.

(k) Not later than November 1 of each year, the director shall:

(1) compile the records received from all of the agency's coordinators under subsection (j);

(2) prepare a report that sets forth:

(A) the number of comments, complaints, and questions received by the agency from small businesses during the most recent state fiscal year, categorized by the subject matter of the rules involved;

(B) the number of complaints or questions reported under clause (A) that were resolved to the satisfaction of the agency and the small businesses involved;

(C) the total number of staff serving as coordinators under this section during the most recent state fiscal year;

(D) the agency's costs in complying with this section during the most recent state fiscal year; and

(E) the projected budget required by the agency to comply with this section during the current state fiscal year; and

(3) deliver the report to the legislative council in an electronic format under IC 5-14-6 and to the Indiana economic development corporation established by IC 5-28-3.

For Fiscal Year 2006/2007, with regards to the above listed rules, the IURC answers (k)(2)(A)-(E) as follows:

- (A) No comments, complaints, and questions were received from small businesses regarding these rules.
- (B) Not applicable as no complaints or questions were received.
- (C) There was one staff serving as coordinator for this section.
- (D) The IURC's compliance costs for Fiscal Year 2007/2007 were approximately \$400.00.
- (E) For Fiscal Year 2007/2008, the costs of compliance will increase significantly due to the increase in the number of rulemakings, that there are now two Small Business Coordinators, and the fact that the report is cumulative and will include all prior rulemakings that were subject to this statutory requirement. We estimate the costs will be approximately \$1250.00.

Pursuant to Ind. Code §§ 4-22-2-28.1(k)(3) and 5-14-6-4, the report of the above information, prepared by the Chairman, shall be posted on the IURC website and shall be sent electronically to the Executive Director of the Legislative Services Agency and to each member of the General Assembly, which includes the Indiana Legislative Council.